UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/Sub.2/1994/NGO/13
4 August 1994

ENGLISH
Original: SPANISH

COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-sixth session
Agenda item 6

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

Written statement submitted by the International Federation of Human Rights, a non-governmental organization in consultative status (category II)

The Secretary-General has received the following communication, which is distributed in accordance with Economic and Social Council resolution 1296 (XLIV).

[2 August 1994]

GE.94-13408(EXT)

Serious violations of human rights in Guatemala occurring between 20 July 1993 and 20 July 1994

1. Notwithstanding the expectations which the present government, led by the former Procurator for Human Rights, Ramiro de León Carpio, has aroused since 6 June 1993, and notwithstanding the signature in March 1994 of the agreement on human rights concluded between the government and the army, on the one hand, and the National Revolutionary Union of Guatemala, on the other, the International Federation of Human Rights (FIDH) and the Guatemalan Commission for Human Rights (CDHG) are still extremely concerned by the unabated continuance of serious violations of human rights in Guatemala.

2. The majority of the population of Guatemala (about 65%) is indigenous. Wherever violations of human rights occur, the population groups most affected are indigenous.

3. Any act which violates human rights is serious. But the killing of 217 Guatemalan citizens and the disappearance (forcible abduction) of 35 others, whose fate is still unknown, by means of degrading and universally condemned methods, within the space of one year, cannot simply be designated as serious; the situation goes beyond acceptable limits and is destructive of human dignity.

4. This report covers the individual and collective extrajudicial executions and the enforced or involuntary disappearances occurring between 20 July 1993 and 20 July 1994. There were:

> 187 individual extrajudicial executions (including 21 women, 2 of them pregnant, and 5 minors);
>
> 30 victims (including 4 women) of collective extrajudicial executions (8 massacres in all);
>
> 35 victims of enforced abduction (including 3 women and 2 minors), whose fate is still unknown.

5. During the period April-July 1994 alone (i.e., following the signature of the agreement on human rights), we have recorded -

> 79 individual extrajudicial executions and 2 massacres causing 8 deaths in all; 44 of the victims bore marks of torture, and 19 had previously been the victims of forcible abduction;

During the same period 6 cases of enforced disappearances were reported; no information is available concerning the fate of the victims.

Who are victims of serious violations of human rights?

6. In Guatemala persons who promote and defend respect of human rights and who combat and denounce violations thereof are executed and/or disappear. During the period under review the situation remained unchanged.

> Runujel Junam, a member of the Council of Ethnic Communities (CERJ), who worked with indigenous peoples, and two other persons belonging to unspecified human rights groups, have been executed.

A member of the CERJ, a member of the Mutual Support Group (GAM) and a member of an unspecified human rights group have disappeared; their fate is unknown.

7. Guatemalan citizens who endeavour to pursue claims and secure rights under labour legislation, land ownership rights, etc. are also executed or disappear. For example:

Three union members (two of them officers) and five members of the Committee for Peasant Unity (CUC) have been executed.

Three union members (one of them an officer) and a member of the CUC have disappeared; their fate is unknown.

8. The students have identified themselves with the struggle of the peoples of Guatemala; some of them have formed organizations which are not restricted to students but are popular in character and seek to defend human rights.

During the period under review, three secondary-school pupils and four university-level students were executed, and

one secondary-school pupil disappeared; his fate is unknown.

9. The teachers have formed a strong movement to press labour and popular demands and have been able to promote mobilization in urban and rural areas, primarily in defence of educational, labour and other rights.

During the period under review, three teachers were executed and one teacher disappeared; his fate is unknown.

10. The communication media and the persons employed therein have become a direct target for the repressive forces within the country.

During the period under review, two journalists were executed and one communication media employee disappeared; his fate is unknown.

11. Members of the clergy who spread the message of brotherhood, mutual respect and justice have also fallen victims.

During the period under review, two members of the clergy were executed.

12. There are Guatemalan citizens who form associations to press specific demands, mainly of a social nature. From the standpoint of the barbarous and outdated repressive approach, these associations are "potential dangers", and consequently their members are becoming objects of attention by the State security forces.

During the period under review, one member of a popular association was executed.

13. Extrajudicial executions have also occurred in other sectors, apparently insignificant, but deemed by the forces of State power to be "potentially dangerous".

During the period under review, 1 mayor, 1 driver, 1 politician, 2 officials, 4 smallholders, 3 businessmen, 4 prisoners, 3 professional workers, 2 small-scale traders and 3 aliens were executed, and

1 returned refugee, 1 businessman, 1 driver and 1 professional worker disappeared; their fate is unknown.

Methods employed

1. Extrajudicial executions (individual and collective)

14. The worst marks borne by victims of executions provided evidence of: torture (97 persons), amputation (2), mutilation (1); burns (5); binding of extremities (3) and coups de grâce (18).

15. Before their executions, 44 of the victims (including 4 women) had disappeared, 11 had been persecuted and followed, 16 had had their homes broken into, 2 had had attempts made on their lives and 1 had received death threats.

16. During the period under review, out of the total number of persons executed, 68 were not identified. They form part of the long list of unidentified victims who had certainly been forcibly abducted for an indefinite period; it can be said with a fair degree of certainty that they were held in clandestine prisons. The bodies of these victims were abandoned on highways or paths, in villages or towns, and even in places converted into body dumps by the killers themselves. It should also be mentioned that some of the victims had had their throats cut or been beaten to death, hanged, shot with firearms of calibre of official use, stabbed, etc.

2. Enforced disappearances

17. At the time of their abduction two persons were beaten with various instruments, one was attacked with a firearm, one was physically attacked, and in four cases the victims' homes were broken into.

18. Before their disappearance two of the victims had had their homes broken into, two had suffered persecution, twelve had been followed and intimidated, two had received death threats, and in one case an attempt had been made on the victim's life. These figures demonstrate that the disappearances were not fortuitous but planned.

19. It is presumed that the victims of enforced disappearances have at the very least suffered psychological torture.

Who are the perpetrators of violations of human rights and how do they proceed?

20. According to our records, the reported perpetrators of individual and collective extrajudicial executions (217 cases) and of enforced disappearances (35 cases) are:

the army (12); civil self-defence patrols (PACs) (3); unidentified armed men (199); unspecified security forces (2); unidentified men (no indication as to whether they were armed) (36).

Departments in which serious violations of human rights have occurred

21. Between 20 July 1993 and 20 July 1994 we recorded cases of individual and collective extrajudicial executions and enforced disappearances on paths and highways, in villages and towns in the interior of the country, in the department of Guatemala City and in the city itself.

Extrajudicial executions

22. Extrajudicial executions were reported in 20 of the 22 departments of the country as follows:

Alta Verapaz (1); Baja Verapaz (2); Chimaltenango (4); Chiqimula (4); El Petén (16); El Progreso (7); El Quiché (6); Escuintla (12); Guatemala City (66); Huehuetenango (7); Izabal (1); Jalapa (1); Jutiapa (13); Quezaltenango (10); Sacatepequez (10); San Marcos (14); Santa Rosa (23); Sololá (6); Suchitepéquez (8); Zacapa (3).

Enforced or involuntary disappearances

23. We have recorded enforced disappearances in 12 departments as follows:

Chimaltenango (1); El Petén (2); El Progreso (1); El Quiché (2); Escuintla (2); Guatemala City (17); Huehuetenango (2); Izabal (2); Quezaltenango (1); Retalhuleu (1); Sololá (1); Suchitepéquez (1).

Violations of human rights in Guatemala are continuing unabated

Numbers of extrajudicial executions month by month

24. We have recorded extrajudicial executions during each of the 12 months falling within the period under review. During the period April-July 1994 alone (i.e., following the signature of the agreement on human rights) we have already recorded 87 extrajudicial executions. The figures are as follows:

1993: July (1); August (14); September (15); October (9), November (7); December (16).

1994: January (33); February (21); March (14); April (23); May (38); June (12); July (14).

Numbers of enforced or involuntary disappearances month by month

25. With the exception of May 1994 (during which the number of extrajudicial executions - 38 victims - was the highest for any month during the period under review), cases of enforced disappearance were reported during every month of that period. During the period April-July 1994 alone, 6 cases have been recorded. The figures are as follows:

1993: July (1); August (5); September (2); October (4), November (1); December (2).

1994: January (2); February (9); March (3); April (2); June (3); July (1).

26. In the light of all the foregoing, the FIDH and the CDHG conclude that violations of human rights in Guatemala are serious, systematic and generalized and require special attention by the Sub-Commission under its agenda item 6.